



General Assembly

Substitute Bill No. 254

February Session, 2010

* ____SB00254JUD__042010__ *

**AN ACT CONCERNING DISCLOSURE OF MAXIMUM ALLOWABLE
COSTS FOR PHARMACY REIMBURSEMENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2010*) For each prescription
2 drug, prescription device, pharmacist services or prescription drug
3 and device and pharmacist services portion of a health benefit plan a
4 pharmacy benefits manager administers, such manager shall establish
5 a list of maximum allowable costs for generic prescription drugs to be
6 paid under such health benefit plan. Each such list shall be updated
7 monthly. An intentional or wilful violation of this section shall be
8 deemed an unfair or deceptive business practice subject to the
9 provisions of section 38a-479ccc of the general statutes, as amended by
10 this act.

11 Sec. 2. Section 38a-479ccc of the general statutes is repealed and the
12 following is substituted in lieu thereof (*Effective October 1, 2010*):

13 (a) Upon receipt of a completed application, evidence of a surety
14 bond and fee, the commissioner shall: (1) Issue and deliver to the
15 applicant a certificate of registration; or (2) refuse to issue the
16 certificate.

17 (b) The commissioner may suspend, revoke or refuse to issue or
18 renew any certificate of registration for: (1) Conduct, including, but not

19 limited to, advertising or soliciting, of a character likely to mislead,
20 deceive or defraud the public or the commissioner; (2) unfair or
21 deceptive business practices; or (3) nonpayment of the renewal fee.

22 (c) The commissioner shall not suspend or revoke any certificate of
23 registration except upon notice and hearing in accordance with chapter
24 54.

25 Sec. 3. Section 38a-479aaa of the general statutes is repealed and the
26 following is substituted in lieu thereof (*Effective October 1, 2010*):

27 As used in this section, [and] sections 38a-479bbb to 38a-479hhh,
28 inclusive, as amended by this act, and section 1 of this act:

29 (1) "Commissioner" means the Insurance Commissioner;

30 (2) "Department" means the Insurance Department;

31 (3) "Drug" means drug, as defined in section 21a-92;

32 (4) "Person" means person, as defined in section 38a-1;

33 (5) "Pharmacist services" includes (A) drug therapy and other
34 patient care services provided by a licensed pharmacist intended to
35 achieve outcomes related to the cure or prevention of a disease,
36 elimination or reduction of a patient's symptoms, and (B) education or
37 intervention by a licensed pharmacist intended to arrest or slow a
38 disease process;

39 (6) "Pharmacist" means an individual licensed to practice pharmacy
40 under section 20-590, 20-591, 20-592 or 20-593, and who is thereby
41 recognized as a health care provider by the state of Connecticut;

42 (7) "Pharmacy" means a place of business where drugs may be sold
43 at retail and for which a pharmacy license has been issued to an
44 applicant pursuant to section 20-594; and

45 (8) "Pharmacy benefits manager" or "manager" means any person

46 that administers the prescription drug, prescription device, pharmacist
47 services or prescription drug and device and pharmacist services
48 portion of a health benefit plan on behalf of plan sponsors such as self-
49 insured employers, insurance companies, labor unions and health care
50 centers.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>October 1, 2010</i>	38a-479ccc
Sec. 3	<i>October 1, 2010</i>	38a-479aaa

Statement of Legislative Commissioners:

Section 1 was amended to change the second reference to "device" to "drug and device" for statutory consistency, and section 3 was added to insert a reference to section 1 for statutory consistency.

JUD *Joint Favorable Subst.*